

**REMARKS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

Claims 1-8 are pending in this application. Claims 1 and 5, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

Claims 1-8 were rejected under 35 U.S.C. §102(b) as being anticipated by European Patent Application 0 865 192 A2 to Yamakita.

Independent claim 1 now recites, in part:

“...wherein said processing command is **selected by a user of the transmitting electronic device** before sending the obtained original data...”  
(Emphasis Added)

Applicant submits that the portions of European Patent Application 0 865 192 A2 to Yamakita et al cited in the Office Action (hereinafter, merely “Yamakita”) do not disclose the above-identified features of claim 1. Therefore, independent claim 1 is believed to be distinguishable from Yamakita.

For reasons similar to those described above, independent claim 5 is believed to be distinguishable from Yamakita.

Applicant therefore respectfully requests that the rejection of claims 1 and 5 under 35 U.S.C. §102(b) be withdrawn.

Claims 2-4 are dependent from amended independent claim 1 and claims 6-8 are dependent from amended independent claim 5 and are therefore distinguishable from Yamakita for at least the above-identified reason.

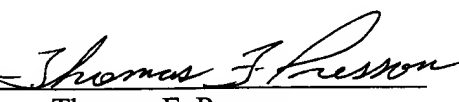
Applicant therefore respectfully requests that the rejection of claims 2-4 and 6-8 under 35 U.S.C. §102(b) be withdrawn.

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800